



WASHINGTON STATE
Board of Health
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DATE: November 14, 2012

TO: Washington State Board of Health Members

FROM: Michelle Davis, Executive Director

SUBJECT: MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD AND DEPARTMENT OF HEALTH

Background and Summary:

The State Board of Health was created by 1889 in article XX of the Washington State Constitution. Chapter 43.20 RCW establishes the Board's powers and duties. RCW 43.20.030 describes Board membership, authorizes the Board to employ an Executive Director and Confidential Secretary, and requires the Department of Health to provide necessary technical staff support to the Board. There is no definition of the term "technical staff support," and no detail about how the Board and Department will work together.

In December 1999, the Board adopted a Memo of Understanding (MOU), which detailed the staff support and administrative services the Department would provide to the Board. The MOU has not been updated since then, and needs to be revised to reflect the current working relationship between the Department and Board.

Recommended Board Action:

Depending on the Board's discussions, the Board may choose to consider, amend if necessary, and adopt the following motion:

The Board directs staff to develop a final Memorandum of Understanding between the Board and Department, in close consultation with the Chair. The Chair is authorized to negotiate final agreement and approve the MOU on behalf of the Board.

Discussion:

The current MOU does not reflect a number of statutory changes that have occurred since it was signed in 1999, including collective bargaining and the establishment of the Interagency Council on Health Disparities. The budget information within the MOU reflects the 1999-2001 budget, and incorporated the phrase "adjusted for inflation." No other agency budget in state government is granted a budget adjustment for inflation. This type of budget adjustment would have to be specifically granted by the legislature, and cannot be negotiated between two agencies.

The draft MOU is updated to reflect the 2013-2015 biennial budget, which the department has submitted to the Governor's office. It provides greater detail about the staffing relationship between the Board and the Department, and takes into account the impacts of the collective bargaining law. The draft MOU provides greater clarity about the respective roles of key staff charged with implementing the MOU, and additional detail about the administrative services that the Department provides to the Board. In receiving these services, the Board agrees to comply with the respective Department policies and procedures. This agreement commits both agencies to reviewing the document every two years.

Staff Contact:

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